

TIPPECANOE COUNTY DRAINAGE BOARD

August 5, 2020

Drainage Board Meeting Minutes

Those present were:

Tippecanoe County Drainage Board President Thomas P. Murtaugh, Vice President David S. Byers, County Surveyor Zachariah Beasley, Drainage Board Attorney, Dave Buck for Michelle Watts from Butler Fairman and Siefert and Drainage Board Executive Administrator Brenda Garrison. James Butcher, Surveyor Office Project Manager and Tim Walters, Surveyor's office GIS Technician were also in attendance. Member Tracy A. Brown was absent.

Approval July 1, 2020 Drainage Board Meeting Minutes

David Byers made a motion to approve the July 1, 2020 Drainage Board Regular Meeting minutes as written. Thomas Murtaugh seconded the motion. Motion carried.

Loves Travel Stop

Sara Harville of CESSNO Engineers approached the Board and presented Loves Travel Stop project for approval. The project site consisted of approximately 10.94 of developed acreage (overall site 21.3062 acres) and located at the Southwest corner of Schuyler Avenue and County Road East 200 North. Wildcat Creek was adjacent to the site and runoff would drain directly or indirectly through swales to Wildcat Creek and ultimately the Wabash River. The widening of County Road 200 North with an addition of a Northbound to Eastbound and a Southbound to Westbound turn lane and a stop light was included on Schuyler Avenue. The remainder of the site was located within the flood plain. Total disturbed acreage was approximately 13.79 acres. Ms. Harville stated 2 dry detention basins would be located in the Northeast and *Southwest (a series of three small basins) corner* to meet water quality requirements. She requested approval at that time. The Surveyor confirmed that the County Highway Department was involved with the planning.

The Surveyor invited Robin Ridgway to speak. Robin Ridgway, 3614 East 200 North Lafayette, Indiana 47905 read the following into the record. "Hello Tippecanoe County Drainage Board members, thank you for allowing me to speak. My name is Robin Ridgway and I am the Director of the Environmental Health and Safety Regulatory Compliance at Purdue University. I hold a PHD in Engineering and I am a licensed Professional Engineer in the state of Indiana. Today, I do not speak to you as a representative of Purdue University but as a concerned citizen with environmental expertise. My concern has to do with the Loves Truck Stop planned to be constructed near County Road 200 North and State Road 25 along the Wildcat creek. The facility plans that I have seen which now have some age on them, show underground storage tanks (fuel storage tanks) being located right along the Wildcat Creek. I am very concerned about the potential impact of a spill in this location. I am confident that the county and Loves have followed all the applicable rules and regulations for the siting and the construction of these tanks. However, all the rules and regulations in the world sometimes miss the mark on what is just a flat-out bad idea. My concern is if the tanks leak or there is an issue of overfilling or a piping failure. With the tanks being so close to the Wildcat Creek and set in unconsolidated fill there would be little if any time to mitigate the environmental impact of such a spill. It would be heading right for the Creek before it is even noticed. One might argue that underground storage tanks installed in 2020 have to adhere to more stringent design requirements than those in the past and therefore are unlikely to leak. However, analysis of Indiana Department of Environmental Management's Leaking of Underground Storage Tank Database tells a different story. A full 6% of underground petroleum tanks installed in 2015 in Indiana have experienced a reportable leak or spill. There are rules in place for spilling and Love's will be paying into the Liability Trust Fund with their Tank Registration Fees, so the cost of cleanup would be covered by the state. However, these are after the fact and do nothing to avoid the environmental impact in the first place- especially given the location as risky as the planned tank location at Love's. As such, I am requesting that Loves and their Engineers seriously consider choosing the ethical path, by either installing above ground tanks- where leaks and spills can be detected immediately- or by relocating the tanks on another place on the property as far from the Creek as possible. I know redesigning or relocating the tanks is not required, so I am left to appeal to the Company's better engineering judgement with my request. Thank you" The Surveyor thanked Robin Ridgway for her comments.

Responding to David Byers inquiry, Sara Harville stated the tanks were set back substantially from the Creek due to the large flood plain. The site's grading was designed that if a spill occurred the spill would flow back to the pavement area not directly toward the Creek. If there was a spill, Love's would be able to clean that up. The tanks themselves were double walled and set back at a minimum of 20 feet from the edge of the floodplain per the County's Area Plan Commission's requirements. Storage tank placements/designs was not one of the items covered under the required IDEM Rule 6 permit process. The Surveyor stated the Drainage Board was responsible for compliance of the Stormwater Drainage Ordinance, the location of fuel tanks was not addressed within the Drainage Ordinance. He noted to his knowledge the Board does not have any legal authority over the location of the fuel tanks, however he took her concern very seriously. He stated he thought that

IDEM Rule 6 Permit covered this. Chad Bruner of Love's approached the Board. Mr. Bruner stated the tanks were double walled and were equipped with alarms for leakage occurrence. He noted a soil dynamic compaction test will be completed on the site- as historically the site has previously been dumped on. He stated they would review the site plan -in particular the tank's locations again. He noted they generally like to place the tanks where they have one good access for transport trucks. Also, the tank location is usually located where there was a reasonable run for the fuel-lines to the dispensers. He stated he thought this was the best tank location on site for both of these reasons, however they would take another look at it due to the concern. In addition, he will speak with their environmental team to see if there are any other measures they could take. The Surveyor thanked Mr. Bruner for the willingness to take another look. He recommended construction approval with the conditions as stated on the July 21, 2020 Burke memo. There was no other public comment. David Byers made a motion to approve construction approval as stated on the July 21, 2020 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Lafayette Tents and Events

Robert Langanger approached the Board to present Lafayette Tents and Events for approval. The site consisted of approximately 6.8 acres located between Old County Road 350 East and Veterans Memorial Parkway (AKA County Road 350 South) and will adjoin the current site which was located on the westside of South County Road 460 East within the Milestone Subdivision. A wet detention pond would be located onsite along Old County Road 350 East then released into final outlet (a dry detention pond) located onsite along Veterans Memorial Parkway (AKA County Road 350 South). Both the S.W. Elliott Drain Watershed and J.N Kirkpatrick Watershed release rate requirements were met. A large 24-inch watermain adjacent to the south side of Veterans Memorial was noted and caution would be taken in this area to not damage the main. He requested approval at that time. There was no public comment. The Surveyor recommended construction approval as stated on the July 29th, 2020 Burke memo. David Byers made the motion to grant construction approval as stated on the July 29th, 2020 Burke memo. Thomas Murtaugh seconded the motion. Motion carried.

Stonehenge Planned Development Phase 4 and Phase 5

Andy Mix of Vester and Associates appeared before the Board to present Stonehenge PD Phase 4 and Phase 5 (last sections of the overall Planned Development -PD.) for approval. The development site contained approximately 134.6 acres and was located on the southeast corner of County Road 450 North and County Road 375 West. Phase 4 consisted of approximately 29.87 acres and Phase 5 consisted of approximately 9.96 acres of the overall development's total acreage. The masterplan was approved in January of 1997. Phase 4 and Phase 5 runoff would traverse through storm sewers and swales to a new wet detention basin. The new wet detention basin would be connected to the existing wet detention basin on the east side of the development which would serve as the final outlet. The unnamed tributary in the southwest portion of the site would have an easement added to the plans, erosion control measures and strict grading requirements on the lots adjacent to the unnamed tributary. Mr. Mix stated while the new wet detention basin would provide additional water quality and slow down peak rates, it was added to the plans for amenity, aesthetics and economic reasons not due to ordinance requirement. The flow was reduced to the unnamed tributary and the capacity was not changed. He requested approval at that time. The Surveyor reiterated this project was approved previously as a planned development. He stated item #2 under Stormwater Quantity listed on the July 30, 2020 Burke review memo should be noted as the lots would be required to have individual site plans for building permit approvals by the Surveyor Office/Drainage Board. Also, under Stormwater Quantity item #9 discusses emergency routing issues and pending information required such as grading issues and ponding requirements and should be adhered to as the other items on the memo. He recommended conditional approval per the July 30th, 2020 Burke memo. There was no public comment. David Byers made a motion to grant conditional approval as stated on the July 30th, 2020 Burke memo as recommended. Thomas Murtaugh seconded the motion. Motion carried.

Zach Beasley/Other Business

Petitions:

Petition to Partially vacate the Fred Haffner Regulated Drain #34

The Surveyor presented a petition to partially vacate the Fred Haffner Drain #34 submitted for Tippecanoe Development II LLC by Tbird Design Services regarding Fieldstone Development.. He recommended approval of the petition to partially vacate the Fred Haffner Regulated Drain #30 as submitted. David Byers made a motion to approve the Petition to Partially Vacate the Fred Haffner Regulated Drain #30. Thomas Murtaugh seconded the motion. Motion carried.

Petition to Partially Vacate the John McCoy Regulated Drain #50

The Surveyor presented a petition to partially vacate the John McCoy Drain #50 submitted for Purdy South Farms LLC by Tbird Design Services regarding the expansion of Purdy Farms operations. He recommended approval. David Byers made a motion to grant approval of the Petition to Partially Vacate the John McCoy Regulated Drain #50 as presented. Thomas Murtaugh seconded the motion. Motion carried.

Petition for Removal of an Obstruction: Adams/Gellenbeck/6330 East 100N Lafayette Indiana 47905

The Surveyor presented a petition for removal of an obstruction submitted by Todd M. and Jill A. Adams of 903 Wexford Drive Lafayette Indiana 47905. The alleged obstruction was located at 6330 E 100 North Lafayette Indiana 47905, owned by William L. Jr. and Joyce A. Gellenbeck which also involved the culvert under the road. He requested acceptance and board referral to investigate and prepare a report for an obstruction hearing as soon as possible. David Byers made a motion to accept the Petition for Removal of an Obstruction as presented. Thomas Murtaugh seconded the motion. Motion carried.

BONDS:

The Surveyor presented Performance Bond #2294851 in the amount of \$351,000, written by the West bend Mutual Ins. Co. and submitted by Dormie LLC regarding the Highway Safety Facility project for approval by the board. David Byers made a motion to approve Performance Bond #2294851 as presented by the Surveyor. Thomas Murtaugh seconded the motion. Motion carried.

The Surveyor presented Maintenance Bond #1083636 in the amount of \$44,863.30, written by Hanover Ins. Co. and submitted by Atlas Excavating Inc. regarding the Auburn Meadows Section 2 project for approval by the board. David Byers made a motion to approve Maintenance Bond #1083636 as presented by the Surveyor. Thomas Murtaugh seconded the motion. Motion carried.

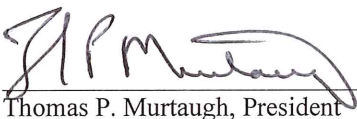
Other Business

The Surveyor updated the Board on the Jeremiah Edwards Regulated Drain #129 Reconstruction Project. The project included approximately two miles of tile installation and was located south of US 52 -at County Roads 800 and 850 West, immediately southeast of the Town of Otterbein. He noted it was 98% complete.

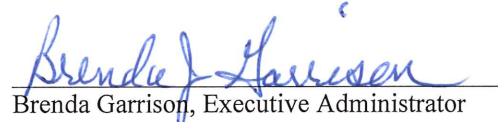
The Surveyor updated the board on the Huffman Weimert Regulated Drain #125 project. He stated the jack and bore had been completed by the Railroad under their tracks. He noted his office was waiting on Patton Construction to directional bore under County Road 450 North and connect it with the jack and bore tile under the railroad track for a complete installation. Due to COVID Patton Construction was having some delays in their projects and would start as soon as possible.

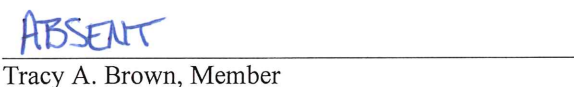
Public Comment

There was no public comment. David Byers made a motion to adjourn. The meeting was adjourned.


Thomas P. Murtaugh, President


David S. Byers, Vice President


Brenda Garrison, Executive Administrator


Tracy A. Brown, Member